

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVEN D. JACKSON,

Case No. C-10-2521 JCS

Plaintiffs,

**ORDER FOR JOINT STATEMENT OF
UNDISPUTED FACTS**

v.

SIMON PROPERTY GROUP INC.,

Defendant.

Defendant has filed a motion for partial summary judgment, which is set for hearing on May 20, 2011. The Court's Standing Order on Motions for Summary Judgment provides as follows:

The parties shall file a joint statement of undisputed facts. If the parties are unable to reach complete agreement after meeting and conferring, they shall file a joint statement of the undisputed facts about which they do agree. Separate statements of undisputed facts shall not be filed and will not be considered by the Court.

Civil Standing Orders for Magistrate Judge Joseph C. Spero, Revised 11/03/08, ¶ 17. No joint statement of undisputed facts has been filed in support of the pending summary judgment motion. Instead, Defendant has filed a declaration, which includes facts and supporting evidence that were submitted to Plaintiff's counsel for review in March 2011. This declaration is not in compliance with this Court's Standing Order, and will not be considered by the Court.

IT IS HEREBY ORDERED that the parties shall file a joint statement of undisputed facts in compliance with the Court's Standing Order by Friday April 29, 2011. The parties are cautioned that any party who objects to a proposed fact without a reasonable basis for doing so may

1 be subject to sanctions. Similarly, the Court may deem any proposed fact to which Plaintiff does not
2 respond to be undisputed.

3 IT IS SO ORDERED.

4 Dated: April 27, 2011

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7 JOSEPH C. SPERO
8 United States Magistrate Judge
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